IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION Nos : 3259 & 3260 of 2004

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WRIT PETITION No.3259 OF 2004

Between:

1 G. Krishna Murthy, S/o. Ganiraju
R/o. Mandapeta, E.G.District.
2 K. Veerraju S/o. Gangaraju,
R/o. Gollapunta,E.G.District.

..... PETITIONERS

AND

The Government of A.P., rep., by its Secretary, Transport, R& B Transport-III Department, Secretariat Buildings, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus declare the action of the respondent in not disposing the application filed by the petitioners on 12.11.2003 for formation of Route Under Section 68[3] [ca] of M.V. Act as illegal, arbitrary and further direct the respondent to dispose of the representation dated 13.11.2003 filed by the petitioners for formation of the Route from Mandapeta Bridge to Anaparthy [via] Tapeswaram, Medapadu Bridge, Dwarapudi Market, Vemulapally, Pera Ramachandrapuram, Duppalapudi under Section 68[3][ca] of M.V.Act.

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WRIT PETITION No : 3260 OF 2004

Between:

Smt.K.Padmavathi, w/o K.Ramakrishna
R/o Mandapeta, East Godavari District.

..... PETITIONER

AND

The Government of Andhra Pradesh, rep., by its Secretary, Transport, R & B Transport-III Department, Secretariat Buildings, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of mandamus declaring the action of the Government in not passing any orders on the application dt.12-11-2003 for formation of Route Under section 68(3)(ca) of M.V.Act as illegal, arbitrary and further direct the Government to dispose of the representation dt.12-11-2003 for formation of the route: 1. Mandapeta Bridge to Kadiyam Anandanagar. 2. Mandapeta venkateswara Swamy Temple to draksharam (via) Maredubaka, Pulagurtha, Chelluru Sugar Factory, Venturu, Utrumilli, Tallapalem and Jagannaikulapalem. 3. Mandapeta Rajaratna Theater to Angara (via) Nelturu, Valluru and Vedurumudi

Counsel for the Petitioners : MR.P.RAGHAVENDRA REDDY

in both writ petitions.

Counsel for the Respondent : GP FOR TRANSPORT

in both writ petitions.

The Court made the following:

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W. P.No.3259 and 3260 of 2004

COMMON ORDER:

Petitioners who are transport operators filed these two writ petitions, inter alia, aggrieved against the inaction on the part of the respondent herein in not considering their representations dated 12—11—2003 and 13—11—2003 for formation of route under Section 68 (3) (ca) of the Motor Vehicle Act.

Though several contentions are sought to be urged on behalf of the petitioners, which are being opposed by the learned Government Pleader for Transport, however, in view of the fact that the very applications of the petitioners are still pending consideration, it is not necessary to go into the merits of the case.

Though the petitioners have no such locus to seek formation of route, which is a policy decision, however, having regard to the fact that the representations of the petitioners are pending consideration, these writ petitions are disposed of directing the respondent to consider the applications of the petitioners and pass orders in accordance with law within a period of three months from today. No costs.

Stv/- 22—07—2004.

Note: Issue C.C. in one week.

(B.O.)

To

1. The Secretary,Government of Andhra Pradesh, Transport, R & B Transport-III Department, Secretariat Buildings, Hyderabad.

2. Two CCs to GP for Transport, High Court buildings, Hyderabad (OUT)

3. Two CD copies.